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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,195	03/12/2004	Junyan Dai	5347.218	8744
20792	7590	06/27/2007		
MYERS BIGEL SIBLEY & SAJOVEC				
PO BOX 37428				
RALEIGH, NC 27627				
EXAMINER				
LEE, SIN J				
ART UNIT		PAPER NUMBER		
1752				
MAIL DATE		DELIVERY MODE		
06/27/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center"><b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b></p>	<p><b>Application No.</b> 10/800,195</p>	<p><b>Applicant(s)</b> DAI ET AL.</p>	
	<p><b>Examiner</b> Sin J. Lee</p>	<p><b>Art Unit</b> 1752</p>	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 12 June 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

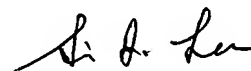
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: 12,13,19,26,32-35 and 48.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 20 and 21.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☒ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_  
13. ☐ Other: \_\_\_\_\_.



Sin J. Lee  
Primary Examiner  
Art Unit: 1752

1. Claims 1-11, 14-18, 22-25, 27-31, 36-47 and 49-66 are canceled claims.
2. In view of the amendment, previous objection on claim 19 is hereby withdrawn.
3. Claims 20 and 21 stand rejected under 35 U.S.C. 102(a) as being anticipated by Dai et al ("Synthesis and Evaluation of Novel Organoelement Resists for EUV Lithography", Proceedings of SPIE, vol.5039 (2003), pg. 1164-1172).
4. The effective filing date of present claims 20 and 21 remains as March 12, 2004 because Ober's 132 Declaration was not successful in removing Dai et al as a reference; applicants may overcome present 102(a) rejection by filing 132 declaration establishing that the article *is describing applicant's own work*. An affidavit or declaration by applicant alone indicating that applicant is the sole inventor (of the subject matter of the publication) and that the others were merely working under his or her direction is sufficient to remove the publication as a reference under 35 U.S.C. 102(a). See MPEP 715.01(c). The only thing which Ober's declaration seems to be saying is that Sang Ouk Kim, Victoria Golovkina and Jangho Shin did not contribute to the conception of the claims of the present application and that they are not co-inventors of the present application.
5. Claims 12, 13 and 19 are allowed. The polymer shown in Figure 2 of Gabor et al ("Hydrosiloxane Modified Styrene-Diene Block Copolymer Resists", Proceedings of SPIE, vol.1925 (1993), pg.499-506) does not teach or suggest any of the present polymers of claims 12, 13 and 19. Claim 26 is allowed. Reed'380 does not teach or suggest present element of carborane carboxylic acid or dimesitylborane. Claims 32-35

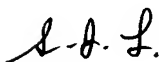
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are allowed for the reasons previously indicated. Claim 48 is allowed. Chung et al (Macromolecules) does not teach or suggest present polymer of claim 48.

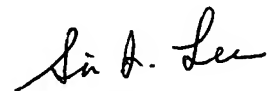
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sin J. Lee whose telephone number is 571-272-1333. The examiner can normally be reached on Monday-Friday from 9:00 am EST to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



S. Lee  
June 25, 2007



**SIN LEE**  
**PRIMARY EXAMINER**